

REMARKS

INTRODUCTION:

In accordance with the foregoing, the claims have been retained in their present form. No new matter is being presented, and approval and entry are respectfully requested.

Claims 1-31 are pending and under consideration. Claims 1 and 11 are independent claims under consideration. Reconsideration of the claims in view of the following remarks is respectfully requested.

REJECTION UNDER 35 U.S.C. §102 & §103:

Claims 1-3, 5, 11-13, 15, 21, 30, and 31 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,911,008 to Niikura et al. ("Niikura"). Claims 4, 6-9, 14, 16-19, 22, 23, 26 and 27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Niikura in view of U.S. Patent No. 6,104,441 to Wee et al. ("Wee"). Claims 10, 20, 24, 25, 28 and 29 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Niikura in view of Wee and further in view of Applicants' Admitted Prior Art ("AAPA"). Reconsideration of the rejections is respectfully requested.

Independent claim 1 recites at least the following:

a color temperature estimation section to estimate a color temperature of the compressed video image using the color temperature of the generated DC video image.

The Office Action asserts at pages 2-3 that Niikura illustrates and describes all of the above-recited features of independent claim 1 at FIG. 15, items 88 and 1503 and column 15, lines 56-63. Applicants respectfully disagree and submit that each of the interpretations of Niikura asserted in the Office Action is incorrect.

With regards to col. 15, lines 52-65 of Niikura, Niikura sets forth calculating the I picture change as described below.

... Here, the I picture change 88 (DI_i) is calculated from the I picture sequence 86 (I_i) by using feature values which reflect the image content change, ... (col. 15, lines 56-58). ...

Referring to the preceding paragraph, it is apparent that Niikura merely describes I picture change, and does not disclose a color temperature corresponding to the color temperature estimation section of present claim 1.

That is, Niikura merely describes a "change of adjacent I pictures". Please see col. 18, lines 49-51 for example, which states.

... Here, it suffices for the I picture change to be a feature value which reflects an amount of change between the adjacent I pictures, ... (col. 18, lines 49-51). ...

As described above, it is apparent that Niikura merely describes change of adjacent I pictures, and does not disclose a color temperature estimation section to estimate a color temperature of the compressed video image (NOT changes of images) of present claim 1.

In addition, the Office Action asserts that Niikura describes color temperature and estimating color temperature on page 8. Applicants respectfully disagree.

For example, page 8 of the Office Action states in part.

... Applicant discloses in P [0007] of the specification that color temperature is equivalent to "hue or RGB". Niikura column 15, lines 60 clearly disclose that fig. 15 deals with hue and estimating hue. Thus, the Examiner maintains all limitations are met. ...

However, "hue" described in Niikura column 15, lines 60-61, is an example of the image content changes. For example, column 15, lines 56-65 of Niikura states:

... Here, the I picture change 88 (DI_i) is calculated from the I picture sequence 86 (I_n) by using feature values which *reflect the image content change*, such as a sum of differences among corresponding pixels in adjacent images for an intensity and a color difference contained in blocks of the I picture, a number of pixels with large differences, **a hue calculated according to an intensity and color difference**, and histograms obtained from these feature values. This I picture change calculation will be described in further detail below. (emphasis added).

The "hue" described in Niikura, however, is different from the "color temperature" of present claim 1. According to paragraph [0003] of the *Description of the Related Art* section of the present application, "The color temperature of a video image is defined as the value at which the chromaticity coordinates of the video image match those of a light source." That is, "color temperature" as recited in present claim 1 does not refer to image content change such as a change between corresponding pixels in adjacent images.

Further, according to the Abstract in Niikura, Niikura merely describes "detecting shot boundaries". Please see Niikura's Abstract, which states in part:

A scheme for detecting shot boundaries in the compressed video data at high speed and high accuracy. ... (Abstract)

As described above, Niikura is directed toward a scheme for detecting shot boundaries in the compressed video data, and obtaining the difference between two adjacent frames.

Consequently, Niikura is not directed toward estimating color temperature. Niikura, in fact, is completely silent with respect color temperature. Accordingly, Niikura fails to suggest or disclose the above-recited features.

In addition, the Office Action fails to establish that Wee or AAPA, alone or in combination, compensate for the noted deficiencies of Niikura.

Accordingly, Applicants respectfully submit that independent claim 1 patentably distinguishes over Niikura, Wee and AAPA, and should be allowable for at least the above-mentioned reasons. Since similar features recited by independent claim 11, with potentially differing scope and breadth, are not suggested or disclosed by the references, the rejection should be withdrawn and claim 11 also allowed.

Further, Applicants respectfully submit that claims 2-10 and 12-30, which variously depend from independent claims 1 and 11, should be allowable for at least the same reasons as claims 1 and 11, as well as for the additional features recited therein.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: November 26, 2010

By: /David J. Cutitta/
David J. Cutitta
Registration No. 52,790

1201 New York Avenue, N.W., 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501